



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*86 Chambers Street  
New York, New York 10007*

May 13, 2025

**BY ECF**

The Honorable Mary Kay Vyskocil  
United States District Judge  
500 Pearl Street, Room 2230  
New York, New York 10007

Re: *American Association of University Professors, et al. v. United States  
Department of Justice, et al.*, 25 Civ. 2429 (MKV)

Dear Judge Vyskocil:

This Office represents Defendants in the above-captioned matter. We write respectfully to request an extension of time for Defendants to respond to Plaintiffs' complaint for the reasons explained below, from May 27, 2025, to three weeks after the Court issues a decision on Plaintiffs' pending motion for a preliminary injunction. Should the Court grant this request, the parties have also agreed, subject to the Court's approval, that Plaintiffs' opposition brief will be due five weeks after Defendants' motion to dismiss, and Defendants' reply brief will be due two weeks thereafter.

Defendants' response to the complaint is currently due on May 27, 2025. *See* ECF No. 16 (certificate of service). Defendants anticipate filing a motion to dismiss, asserting some of the same arguments made in their May 1, 2025, opposition to Plaintiffs' motion for a preliminary injunction. *See* ECF No. 91. Defendants therefore believe that it would be beneficial to the Court and the parties for the parties to have received the Court's opinion on the preliminary injunction motion prior to briefing on a motion to dismiss—particularly as Defendants have raised jurisdictional issues in their preliminary injunction opposition papers that could obviate the need for further briefing. Accordingly, to promote judicial efficiency and conserve party resources, we respectfully request that the deadline for the Government to respond to the complaint be extended from May 27, 2025, to three weeks after the Court issues an order on the preliminary injunction motion.

This is the Defendants' first request to extend their time to respond to the Complaint. Plaintiffs consent to this request, and both parties consent to the briefing schedule proposed above.

We thank the Court for its consideration of this request.

The Honorable Mary Kay Vyskocil

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Respectfully submitted,

JAY CLAYTON

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cc: Counsel of Record (by ECF)